

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

-v-

SAMUEL ASHKENAZI, et al.,

No. 12 Cr. 581 (PKC)

Defendants,

SAMUEL GOLDBERGER,

Defendant-Movant.

-----X

**DECLARATION OF NOAH E. SHELANSKI IN SUPPORT OF DEFENDANT
SAMUEL GOLDBERGER'S APPLICATION FOR MODIFICATION OF BAIL**

NOAH E. SHELANSKI, hereby declares under penalty of perjury:

1. I am an attorney duly admitted to practice in this Court. I am an associate of the law firm of Hafetz Necheles & Rocco, counsel to defendant Samuel Goldberger in this action. I submit this declaration in support of defendant Samuel Goldberger's Application for Modification of Bail dated September 20, 2012.


2. Mr. Goldberger seeks the Court's approval of the modification of his bail conditions to: (a) remove the conditions of home confinement with electronic monitoring, (b) increase the amount of the personal recognizance bond to \$1,500,000 secured by \$1,000,000 in cash and property, including one property not owned by Mr. Goldberger or his wife, and (c) require five financially responsible persons as co-signors on the personal recognizance bond.

3. On September 12, 2012 I visited Pretrial Services Office for the Southern District of New York located at 233 Broadway, New York, NY where I met with Mr. Goldberger's assigned Pretrial Services Officer Dennis Khilkevich and examined Pretrial Services' Recommendation that was prepared for the Court in connection with Mr. Goldberger's arraignment in *U.S. v. Goldberger et al.* 12-CR-598 (PAC) and Mr. Goldberger's initial appearance in *U.S. v. Ashkenazi et al.*, 12-CR-581 (PAC). The Pretrial Recommendation for Mr. Goldberger's bail was that "defendant be released on a secured bond; co-signed by two financially responsible persons; regular Pretrial Services supervision; surrender of all travel documents and no new applications and travel restricted to the Southern and Eastern Districts of New York." The Pretrial Recommendation for Mr. Goldberger did not mention "home detention" or "electronic monitoring."

4. On September 19, 2012 I had a telephonic conversation with Mr. Goldberger's Pretrial Services Officer Dennis Khilkevich. I informed Officer Khilkevich that Mr. Goldberger would shortly make an application to the Court to modify the conditions of his bail to (a) remove the conditions of home confinement with electronic monitoring, (b) increase the amount of the personal recognizance bond to \$1,500,000 secured by \$1,000,000 in cash and property, including one property not owned by Mr. Goldberger or his wife, and (c) require five financially responsible persons as co-signors on the personal recognizance bond. Officer Khilkevich informed me that due to the substantial increase in the personal recognizance bond, security for the bond, and the additional co-signor that were being proposed, Pretrial Services does not object to the removal of Mr. Goldberger from home detention and electronic monitoring.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing
is true and correct.

Executed on September 20, 2012.



Noah E. Shelanski